

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:02CR23
)	
v.)	
)	
LAFAYETTE J. TROTTER, JR.,)	ORDER
)	
Defendant.)	
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This matter is before the Court on defendant/petitioner's motion to vacate this Court's judgment which denied the motion of defendant filed pursuant to 28 U.S.C. § 2255 (Filing No. 88). The defendant originally filed his § 2255 motion on May 14, 2004 (Filing No. 66). Subsequently, on October 18, 2004, the Court filed its memorandum opinion and order (Filing Nos. 76 and 77) denying defendant's motion.

On November 1, 2004, the defendant filed a notice of appeal with the United States Court of Appeals for the Eighth Circuit (Filing No. 78). On July 28, 2005, the Court denied defendant a certificate of appealability and dismissed his appeal. Subsequently, on August 25, 2005, the Court of Appeals entered an order denying the defendant's petition for rehearing and for rehearing en banc. The defendant has had full consideration of his § 2255 motion and raises no issues in his motion to vacate the Court's order of October 28, 2004, which

have not been previously addressed. The Court finds that defendant's motion to vacate should be denied. Accordingly,

IT IS ORDERED that defendant's motion to vacate district court judgment denying 28 U.S.C. § 2255 pursuant to Rule 60(b)(6) of Federal Rules of Civil Procedure is denied.

DATED this 13th day of April, 2007.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court